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PPLICATION N	0.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION N
09/826,896		04/06/2001	Hiroshi Iwasaki	wasaki 04284.0845-05	
22852	7590	06/18/2002			
FINNEG DUNNER		DERSON, FARAI	EXAMI	EXAMINER	
1300 I ST	REET, NW		PERVEEN, REHANA		
WASHINGTON, DC 20005		20005		ART UNIT	PAPER NUMBER
				2182	
			DATE MAIL ED: 06/19/2002	DATE MAILED, 07/19/2002	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Communication Summary   Commu								
## Examiner ## Art Unit ## Rehana Perveen		Application No.	Applicant(s)					
Rehans Perveen  - The MALLING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION.  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION.  If the period for reply specified shows is less than thirty (30) days, a reply with the substitution years and apply and with agains \$100 (bits) days will be considered timely.  If the period for reply specified shows is less than thirty (30) days, a reply with the control of the communication.  If the period for reply specified shows is less than thirty (30) days, a reply with the control of the communication.  If the period for reply specified shows is less than thirty (30) days, and the control of the communication.  If the period for reply specified shows is less than thirty (30) days, and the control of the communication.  If the period for reply specified shows is less than thirty (30) days, and the control of the communication.  If the period for reply specified shows is less than thirty (30) days, and the control of the communication.  If the period for reply specified shows is less than thirty (30) days. Will be considered timely.  A preply received by the Office later than thirty (30) days, and the control of the shows and the control of the	Office Action Comments	09/826,896	IWASAKI, HIROSHI					
- The MALING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Estambors of time may be a validate under the previous of 37 CRF. 1.35(a). In or evert, however, may a risply be timely filled  Estambors of time may be a validate under the previous of 37 CRF. 1.35(a). In or evert, however, may a risply be timely filled  Estambors of time may be a validate, which mainting validate is part and the provision of the communication.  If the period for reply specified store, the mainting date of the communication is become ABMODIED (33 U.S.C. § 133).  If the period for reply specified store, the mainting date of the communication is become ABMODIED (35 U.S.C. § 133).  Responsive to communication(s) filed on @3 April 2002.  2012 This action is FINAL.  2012 This action is FINAL.  2012 This action is price the store of the communication is considered the provision of Claims  4) Claim(s) £32 is/are pending in the application.  4) Claim(s) £32 is/are pending in the application.  4) Of the above claim(s)	Oπice Action Summary	Examiner	Art Unit					
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THE MAILING DATE OF THIS COMMUNICATION.  Extensions from may be evaluable under the provisions of 32 CPR. 1.35(a). In no event, however, may a raply be timely flied after 5X (5) MONTIS from the mailing date of the communication.  It No parido for raply is specified above, the maximum statushop period within the studency may be supplied to the provision of the communication.  Failure to reply within the set or extended period for raply will, by statutory priority statutory priority of the provision of the priority documents have been received.  10) The proposed drawing corrected to by the Examiner.  11) The proposed drawing correction filed on								
1)	<ul> <li>THE MAILING DATE OF THIS COMMUNICATION.</li> <li>Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.</li> <li>If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.</li> <li>If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.</li> <li>Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).</li> <li>Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).</li> </ul>							
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o) LJ Other:		5) Notice of Informal F						

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#### Response to Amendment

 Applicant's arguments with respect to claims 1-36 have been considered but are moot in view of the new ground(s) of rejection.

## Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1, 8, 18, and 28 are rejected under 35 U.S.C.

112, first paragraph, because the specification, while being enabling for the write-permitting or write-inhibiting signal identifying a state of the storage medium means, does not reasonably provide enablement for the write-permitting or write inhibiting signal being produced by virtue of a presence of the state-designating member. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention commensurate in scope with these claims.

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- 4. Claims 1, 8, 18, and 28 are also rejected under 35
  U.S.C. 112, first paragraph, as containing subject matter
  which was not described in the specification in such a way
  as to reasonably convey to one skilled in the relevant art
  that the inventor(s), at the time the application was filed,
  had possession of the claimed invention.
- As the applicant is also in agreement that the writepermitting or write inhibiting signal is not produced by the
  state-designating member thus could be interpreted in a
  manner inconsistent with the specification. The amended
  claims stating that the write-permitting or write inhibiting
  signal is produced by virtue of a presence of the statedesignating member is also subject to the same confusion.
- 6. With respect to the recapture rejection provided by the examiner in the previous office action, applicant amended to restore 'producing' thus overcoming the original recapture rejection.
- 7. It is recommended that the applicant file for a continuation of the active co-pending application serial

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number 09/769,314 (attorney docket no. 04284.0845-04) and presents a new set of claims overcoming the errors.

## Allowable Subject Matter

- 8. The following is a statement of reasons for the indication of allowable subject matter:
- As to independent claim 1, the prior art of record, alone or in combination, does not teach an information storage apparatus comprising a state-designating member provided on a surface of a supporting card designating a state of a storage medium in which writing information to the storage medium is permitted or prohibited, wherein a write-permitting or a write-inhibiting signal is produced by virtue of a presence of the state-designating conductive member, and wherein the produced write-permitting or write-inhibiting signal identifies a state of the storage medium.
- 10. As to independent claims 8, 18, and 28, the prior art of record, alone or in combination, does not teach an information storage apparatus comprising a state-designating member provided on a surface of a supporting card

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designating a state of a storage medium in which writing information to the storage medium is prohibited, wherein a write-inhibiting signal is produced by virtue of a presence of the state-designating conductive member, and wherein the produced write-inhibiting signal identifies a state of the storage medium.

- 11. It is noted that there was a certificate of correction in parent. As a result, claim 18 is not in proper form: the comma (,) after 'prohibited' should not be underlined. This is because the patent being reissued includes all changes in the certificate of correction.
- 12. Applicant's amendment necessitated the new ground of rejection. Accordingly, THIS ACTION IS MADE FINAL. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION

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IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

#### Any response to this action should be mailed to:

Commissioner of Patents and Trademarks Washington, D.C. 20231

#### or faxed to:

(703) 746-7239, (for formal communications intended for entry)

Or:

(703) 746-7240 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rehana Perveen, whose telephone number is (703) 305-8476. The examiner can normally be reached Monday through Friday from 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin, can be reached at (703) 308-3301. The fax phone number for this Group is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Rehana Perveen June 17, 2002

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